

EXHIBIT 16

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

LOUISETTE GEISS, SARAH ANN THOMAS
(a/k/a SARAH ANN MASSE), MELISSA
THOMPSON, MELISSA SAGEMILLER,
NANNETTE MAY (f/k/a NANNETTE
KLATT), KATHERINE KENDALL, ZOE
BROCK, CAITLIN DULANY, LARISSA
GOMES, and JANE DOE, individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

HARVEY WEINSTEIN, ROBERT
WEINSTEIN, DIRK ZIFF, TIM SARNOFF,
MARC LASRY, TARAK BEN AMMAR,
LANCE MAEROV, RICHARD
KOENIGSBERG, PAUL TUDOR JONES,
JEFF SACKMAN, JAMES DOLAN,
MICHAEL EISNER, IRWIN REITER, DAVID
GLASSER, FRANK GIL, RICK SCHWARTZ,
FABRIZIO LOMBARDO, MARK GILL,
NANCY ASHBROOKE, BARBARA
SCHNEEWEISS, MIRAMAX DOES 1-10,
TALENT AGENCY DOES 1-100, and JOHN
DOES 1-50, inclusive,

Defendants.

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No. 1:17-cv-09554-AKH

Hon. Alvin K. Hellerstein

**DECLARATION OF JILL DOE IN SUPPORT OF MOTION FOR PRELIMINARY
SETTLEMENT APPROVAL OF CLASS SETTLEMENT**

I, Jill Doe, under penalty of perjury, do hereby state as follows:

1. I am over the age of eighteen (18), and a Named Plaintiff and proposed Class Representative in the above-entitled action. This Declaration, which is based on my personal knowledge of the facts stated herein, is submitted in support of the Motion for Preliminary Approval of Class Action Settlement.

2. As a Named Plaintiff, I bring this action for damages on behalf of myself and all similarly situated women who were harmed by the abuse and sexual misconduct of Harvey Weinstein and the complicit companies and individuals as described in the First Amended Class Action Complaint [Dkt. 140].

3. In 2016, I was an aspiring actress and filmmaker in New York City and met Harvey Weinstein around April at a gala just as I was about to graduate from college. I had just finished my first short film which had been accepted to several international film festivals. Weinstein gave me his number and email address and told me he wanted to watch my film. After he watched my film, Weinstein asked me to meet him during the daytime at a public place for coffee to discuss it. The meeting was professional. Weinstein gave me critique, but overall was positive about the film. I told him about another short film script I was getting ready to film. He asked to see it, so I sent it to him.

4. The next day Weinstein called me to meet to discuss the short film script. We met the next week, during the day, for coffee. Weinstein told me he loved my mind, he thought I was intelligent, different, and more sophisticated than other girls he met. Weinstein continued this pattern for several weeks. Weinstein or The Weinstein Company (TWC) assistants would call or email me and tell me where to meet him. He met me for coffee or lunch, instructed me to watch certain films, and gave me instructions for scripts I should write or lists of books I should read. He would often check in on my progress and made many comments about projects that I should be a part of and meetings he wanted to set up for me. He told me he saw my potential and, if I listened, he would help steer me in the right direction professionally. The relationship was becoming very much that of a mentor/mentee. He knew I was his daughter's age, and knew much about my family life and that I had a boyfriend with whom I was in a long distance relationship.

5. As the 2016 Cannes Film Festival approached, Weinstein told me that he would include me in all events and meetings at the festival. One evening, before Cannes, Weinstein invited me to an event along with other TWC employees where a world-renowned musician was performing. After the performance, Weinstein took me backstage and introduced me to the

musician's manager, and talked to me about working with TWC and the musician on an upcoming production. The discussion about collaborating with this musician continued for about a week, until finally, the day before Weinstein left for Cannes, I was invited to dinner with the musician, the manager, and Weinstein. That night soon became one of the worst nights of my life.

6. I met Weinstein at the Tribeca Grill. He was alone and I assumed the rest of the group would be arriving soon. I had a glass of wine, and eventually became uncomfortable, having the eerie feeling that no one else was coming.

7. Suddenly, Weinstein said he had forgotten his iPad in a hotel room at The Greenwich Hotel next door. "Come, just come. It'll be quick. We'll be right back," Weinstein said to me. I didn't feel comfortable going, but he made it seem like it wasn't an option, speaking forcibly as if it was final. In the hotel room, I lingered in the doorway as Weinstein went about "looking" for his iPad. Weinstein went into the bathroom. He came out half naked, and asked me for a massage. I said no, I would not give him a massage and he insisted, calling me a prude and insulting me, saying that if I was in fact Spanish, why was I being so boring and reserved? He laid down on the bed. I reluctantly gave him a shoulder massage thinking I might be able to get out of there relatively unscathed if I gave him a quick massage. He then sat up and forced his hands on my shoulders, telling me to relax and that he wanted to give me a massage. I told him I did not want a massage. Weinstein insisted that I take off my sweater. When I said no, Weinstein forcibly removed it.

8. Weinstein was three times my size, and used his size to maintain control of me. I was scared. Weinstein pushed me down on the bed. As I told him no and to stop, he kept telling me to relax, that I wanted this. Weinstein pulled down my pants and underwear despite my protests, and performed oral sex on me. I froze. He put water in his mouth and poured it on my privates as he went down and I felt like I could not move. I was in shock. At first I thought that maybe if I just didn't respond he'd stop. I disassociated from what was occurring. Weinstein continued until he eventually got tired of it and then sat up. I sat up too. I wanted to leave, to run

out, but Weinstein grabbed my wrist, said “come” and pulled me down so that my head was between his legs. I could not get away, and when I said no, Weinstein told me, again, that yes, wanted to do this. I gagged and did not perform what he wanted, and so Weinstein told me to get up, and pulled me into the bathroom to a full-length mirror where he stood behind me, masturbated, and ejaculated on me. I remained in shock. I still do not recall how I got home that night.

9. The next day, Weinstein called me and told me to meet him. I was afraid to say no or to not answer him. I had hoped that because I had rejected him, we would resume the mentor-mentee relationship and that he would realize that I didn’t want a sexual relationship with him. I agreed to meet him in the hotel lobby. When I got to The Greenwich Hotel, he told me no one could know about the night before. He gave me a travel bag as a gift for Cannes, but I told him I couldn’t accept it. He told me I had to take it, but again, that I could not tell anyone what happened the night before. He also told me “Cannes this year will be a big year for you.”

10. Two weeks later I arrived at Cannes, and Weinstein told me there was an agent he wanted me to meet and to come to his hotel. I met him and a woman named Charlotte at the hotel’s restaurant. To this day I don’t know what her relationship was to Weinstein or TWC. Weinstein said that the restaurant felt too crowded and that we should go to his suite. I felt uncomfortable, but Charlotte seemed at ease, so I felt safe. In his hotel room, he sat us both down, turned to me and said that Charlotte knew about our relationship.

11. This was the first time since that night at The Greenwich, which had been the one and only incident, and Weinstein said, it was okay, Charlotte wouldn’t tell anyone, “Right Charlotte?” Charlotte nodded her head. He also said that ever needed anything, I could call Charlotte. Weinstein said to me within Charlotte’s hearing: “Don’t tell anyone, they wouldn’t understand.” I knew that it was wrong, but I also felt like he had something on me. And now this other woman had heard some story from Weinstein and his version of what the relationship was, and I had no power.

12. After Cannes, Weinstein manipulated me into believing that he controlled my success as an actress and a filmmaker. I believed that in order to pursue my career, I had to meet with him and to have a professional relationship with him. Weinstein pretended to be my mentor who would give me advice and support, saying that he truly cared about me and my career, but also kept this secret over my head, saying that no one would understand, especially my boyfriend, my family members whom he had met, and other people in the industry. Throughout this time, I had multiple meetings with industry producers about projects and put hours into preparing pitches and work as instructed by Weinstein. I had many communications with and through TWC staff and throughout each communication, I did my best to remain professional.

13. For nine months, over my protests, he manipulated me into doing things I did not want to do. Weinstein insisted constantly that I should have sex with him. When I refused (which I always did), he would make fun of me, calling me prudish. He would describe the sexual experiences he had with famous actresses, telling me I should be more free and willing like them. The actions from that first night at The Greenwich repeated on an ongoing basis. Weinstein abused, objectified and humiliated me, requiring me on many occasions to stand naked in front of a mirror, while he stood naked close behind me, and masturbated. He would also have me come to “meetings” with other women, attempting to get me to have a threesome when I repeatedly told him I didn’t want to. On multiple occasions he wouldn’t let me leave the room unless I watched him and other women have sex.

14. He forced me to fellate him, touch his penis, and allow him to touch me. No matter how often I told him I did not want to do anything, he would persist. I was scared to speak out. I was scared that this powerful producer would make my career go away before it had even started, blacklisting me, and that he would humiliate me in public, and in front of those I loved most. Some of the most horrible memories were when I did muster up the courage to say “Stop...I don’t want this, I don’t want to do this,” and he would act as if he understood, but then he still made me stand there while he finished. Either that or he would get angry, which scared me until I would freeze again.

15. I developed anxiety attacks that surfaced randomly and without warning, over ordinary events. I lost about 15 pounds from my normal weight of 115. I distanced myself from friends out of embarrassment, and I lied about where I was and what my relationship to this man really was. I forced myself to be in a happy mood when I was desolate, but I don't think I would have survived otherwise. What he did to me disgusted me, but I had fallen so far down the rabbit hole and could not get out.

16. Finally, on one occasion while Weinstein was masturbating in front of the mirror, I was completely numb and having an out-of-body experience. Weinstein told me that he saw how much his actions hurt me and how much I didn't enjoy it. He promised he was never going to abuse me again.

17. A few weeks later, Weinstein invited me out for coffee. I thought, "ok, I can go because I'm safe now, he promised me." When I arrived, there was another woman present to whom I had previously been introduced. Weinstein demanded we both "take care of him" together, meaning sexually. He seemed to think that if I had a partner I would be okay with it. I felt so embarrassed, betrayed, and disrespected. I refused to take my clothes off and he eventually demanded that I leave the room. I waited in the hallway for the other woman, whom I had met before at parties. I felt so guilty leaving her in there, for having not stood up for the both of us.

18. In January 2017, while in Los Angeles, my boyfriend suspected something and confronted me about it, and everything spilled out. The flood gates had opened, and I spent, days crying and having panic attacks. I fainted in the shower and remember getting out and seeing my body in the mirror, wet and skinny, and I completely broke down.

19. Days later, I confided in my mom about the abuse. I told my mom everything. I had never told her anything before out of fear. Loving and caring, my mom helped me extract myself from the abuse. When I got back to New York, I wrote Weinstein a letter, trying to distance myself from him without making him angry. I didn't hear from him for months.

20. In late spring 2017, Weinstein contacted me out of the blue, demanding to know whether I had told an investigative journalist friend of mine about my experiences with him. I had not. He then demanded to know whether I had told anyone else. I said no. He made clear I was not to tell anyone what he had done to me. He then hung up.

21. During these events and for a period afterwards, Weinstein's abuse of me was normalized, and it wasn't until I realized that there were others, like me, whom he had also abused that I realized I had the ability to take legal action to stop his predatory behavior. After the first New York Times article came out, I met a few women in the industry who had filed claims, and so I explored the idea of contacting an attorney. These other women, who became my support system, suggested several attorneys, and I ultimately chose Beth Fegan, then at the Hagens Berman firm.

22. I didn't know much about the legal process, but I soon began to learn. For example, I learned that my claims against Weinstein were not barred by the statute of limitations, unlike many of his other victims. I realized that I could bring my individual claims against Weinstein, but decided that being a part of a class action would enable me to add my claims to the case which, in turn, would help all victims. Being a class representative was the right thing to do.

23. I know there were other victims who did not have the connections and support system that I had or the ability to navigate the legal system, and the thought of being part of a class action, which would help all of Weinstein's victims regardless of their access to resources, would be powerful and important.

24. I chose to be a class representative to make change. I want Weinstein to be held accountable for his behavior, and for once in his life have consequences of his actions, but I also wanted to hold those individuals at TWC accountable for their role the events – for their roles in making Weinstein's victims sign non-disclosure agreements, turning a blind eye to his sexual assaults which they knew were occurring, and normalizing such predatory, criminal behavior. Many of the emails and correspondences from Weinstein were sent through TWC employees

and, the combined stories of all his victims show that the company as a whole was involved throughout the years. Companies and those in charge of the companies need to be held responsible, and I believed I could, and am, making a change by being part of the class action.

25. Despite TWC's bankruptcy and the individual officers and directors being dismissed, I am not discouraged because I know the mentality and character of the people we were dealing with. I know they will fight tooth and nail to do what is best for their own interests and will fight to save themselves money, because that's what they've been doing for decades. As a result, the creation of a victim's fund as part of the settlement is very important. It sends a message to companies that if they protect sexual predators, they will be called to account for it. The fund will not only help me move forward, as I deal with having no health insurance and health issues related to what I endured, and have suffered career setbacks since meeting Weinstein years ago; it will also help those many women who were victimized but are not able to come forward, or do not have the ability or resources to press their own charges.

26. Being a class representative was not easy, yet I never wanted to run away from my commitment to the case. In addition to the emotional toll of reliving the events and being forced to talk about them repeatedly, it also took a great amount of time out of my everyday life. I had to review documents, spend time in conference with my attorneys, and take on tasks to help the case, including writing a letter which was part of the bankruptcy. These tasks also took a toll on my emotional health, as I've had to bring my trauma to the surface time and time again during the legal process. All of this took away from other parts of my life, yet I never begrudged this because I knew that the resolution of the case, through the settlement, was bigger than any of us individually.

27. All through this process, I've become familiar with the terms of the settlement, and have had several conversations with my attorneys about the settlement terms. I fully understand the terms and conditions of the settlement, and I support it.

28. Although no amount will ever be enough for what we each collectively suffered, I believe the settlement is a fair and adequate outcome for the class, especially in light of the

bankruptcy and that we are receiving payment from insurance companies that insured entities and individuals who have been dismissed from this case.

29. I also support the class settlement because it gives women the ability to choose as to how they want to participate when they submit their claims, which will minimize the emotional toll on class members.

30. Class counsel has shown me the following definition of the settlement class to be used in the Class Notice, notifying class members about this case, the certification of the class, the scope of that class, the claims in the case, and what class members must do in order to be included or excluded from the class.

31. For purposes of this settlement, the class is defined as all pre-2005 subclass members and all post-2005 subclass members, collectively.

32. The pre-2005 subclass means all women who met with Harvey Weinstein in person, before September 30, 2005, (i) to audition for or to discuss involvement in a project to be produced or distributed by Miramax, LLC, Miramax Film Corp., Miramax Film NY, LLC, The Walt Disney Company, Disney Enterprises, Inc., or Buena Vista International, Inc. or (ii) in a meeting or event facilitated, hosted, or underwritten by Miramax, LLC, Miramax Film Corp., Miramax Film NY, LLC, The Walt Disney Company, Disney Enterprises, Inc., or Buena Vista International, Inc.

33. The post-2005 subclass means all women, on or after September 20, 2005, who met with Harvey Weinstein in person (i) to audition for or to discuss involvement in a project to be produced or distributed by The Weinstein Company Holdings, LLC or a subsidiary or division thereof, or (ii) in a meeting or event facilitated, hosted, or underwritten by The Weinstein Company Holdings, LLC or a subsidiary or division thereof; or (iii) were employed, whether full-time, part-time, temporarily, as an independent contractor, or as an intern, by The Weinstein Company Holdings, LLC or a subsidiary or division thereof.

34. This definition clearly communicates which persons are in the class and which are not. From this description, it is my opinion that people will understand who is included in the class without further description or detail.

35. As a member of the post-2005 subclass, I understand that I do not have a right to opt out of the settlement. However, I do have the right to object to the class settlement in court.

I declare under penalty of perjury that the foregoing is true and correct. Executed this
13 day of ^{Mar}_{ch} ²⁰²⁰March_____, 2020 at ____ 10:00 am_____.

DocuSigned by:

Jill Doe

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